

CLOSED

**U.S. District Court
Northern District of Alabama (Southern)
CIVIL DOCKET FOR CASE #: 2:13-cv-00423-AKK**

Potts v. Bell
Assigned to: Judge Abdul K Kallon
Cause: 05:552 Freedom of Information Act

Date Filed: 03/01/2013
Date Terminated: 07/30/2013
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Paul David Potts**

represented by **Paul David Potts**
2252 Vanderbilt Road
Birmingham, AL 35217
205-593-1596
PRO SE

V.

Defendant

Mike Bell
*Head Director, Birmingham, AL Social
Security, Acting Under Color of Federal
Law*

represented by **Joyce White Vance, US Attorney**
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Date Filed	#	Docket Text
03/01/2013	<u>1</u>	MOTION (Deemed as Complaint per Court Order <u>6</u>) Under Freedom of Information Pursuant to 5 USC Sec 552 by Paul David Potts. (CVA) Modified on 3/27/2013 (CVA). (Entered: 03/01/2013)
03/01/2013	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Paul David Potts. (CVA) (Entered: 03/01/2013)
03/01/2013	<u>3</u>	NOTICE REGARDING CONSENT. (CVA) (Entered: 03/01/2013)
03/08/2013	<u>4</u>	MOTION Supplement <u>1</u> MOTION by Paul David Potts. (Attachments: # <u>1</u> Exhibits)(CVA) (Entered: 03/08/2013)
03/18/2013	<u>5</u>	ORDER granting <u>2</u> pla's motion to proceed in forma pauperis; court reminds pla that he must serve dft with complaint by 7/1/13. Signed by Judge Abdul K Kallon on 3/18/13. (ASL) (Entered: 03/18/2013)
03/27/2013	<u>6</u>	ORDER: Plaintiff Paul David Potts' motion under the Freedom of Information Act, <u>1</u> , SHALL be treated as a complaint and deemed filed on the date submitted. Moreover, Plaintiff's motion to supplement the record, <u>4</u> , SHALL be treated as an amendment to his complaint. Signed by Judge Abdul K Kallon on 03/27/13. (CVA) (Entered: 03/27/2013)

03/27/2013	<u>7</u>	Summons Issued as to Mike Bell; delivered to USM for service. (CVA) (Entered: 03/27/2013)
04/02/2013	<u>8</u>	SUMMONS Returned Executed by Paul David Potts. Mike Bell, SSA, served on 4/1/13; answer due by 5/1/13 (FOIA request-30 days). (CVA) (Entered: 04/03/2013)
04/16/2013	<u>9</u>	SUMMONS Returned Executed by Paul David Potts, copy of summons served on US Attney (4/3/13), US Atty Gen (4/10/13) and SSA (4/8/13). Answer due within 30 days (FOIA request). (CVA) (Entered: 04/17/2013)
04/26/2013	<u>10</u>	MOTION for Extension of Time to File Answer <i>or Otherwise Respond to Plaintiff's Complaint</i> by Mike Bell. (Ragland, Edward) (Entered: 04/26/2013)
04/29/2013	<u>11</u>	ORDER granting <u>10</u> Motion for Extension of Time to Answer. Defendant has until 6/4/13 to respond. Signed by Judge Abdul K Kallon on 04/29/13. (CVA) (Entered: 04/29/2013)
05/21/2013	<u>12</u>	Opposition to <u>10</u> , Motion for Extension of Time filed by Paul David Potts. (CVA) (Entered: 05/22/2013)
05/21/2013	<u>13</u>	NOTICE of Filing Joinder of the Parties by Paul David Potts. (CVA) (Entered: 05/22/2013)
05/28/2013	<u>14</u>	ORDER: In light of the courts decision on April 29, 2013, <u>11</u> , granting Defendants extension requested, Plaintiffs motion of rebuttal – opposing that extension – is DENIED as moot <u>12</u> .Signed by Judge Abdul K Kallon on 05/28/13. (CVA) (Entered: 05/28/2013)
06/04/2013	<u>15</u>	MOTION to Dismiss <i>Pursuant to Rules 12(b)(1) and 12(b)(6), Fed. R. Civ. P.</i> by Mike Bell. (Attachments: # <u>1</u> Affidavit Declaration of Tiffany Schaefer (with attached Exhibit A), # <u>2</u> Affidavit Declaration of Dawn Wiggins, # <u>3</u> Affidavit Declaration of M. S. Ledford)(Ragland, Edward) (Entered: 06/04/2013)
06/04/2013	<u>16</u>	Brief re <u>15</u> MOTION to Dismiss <i>Pursuant to Rules 12(b)(1) and 12(b)(6), Fed. R. Civ. P.</i> MOTION to Dismiss <i>Pursuant to Rules 12(b)(1) and 12(b)(6), Fed. R. Civ. P.</i> . (Ragland, Edward) (Entered: 06/04/2013)
06/05/2013	<u>17</u>	ORDER SETTING PRETRIAL CONFERENCE AND TRIAL: Rule 26 Meeting Report due by 8/5/2013. Final Pretrial Conference set for 10/16/2014 11:15 AM in Hugo L Black US Courthouse, Birmingham, AL before Judge Abdul K Kallon. Bench Trial set for 12/8/2014 09:00 AM in Hugo L Black US Courthouse, Birmingham, AL before Judge Abdul K Kallon. Signed by Judge Abdul K Kallon on 06/05/2013. (CVA) (Entered: 06/05/2013)
06/05/2013	<u>18</u>	BRIEFING SCHEDULE: Before the court is Defendants Motion to Dismiss <u>15</u> . Plaintiffs response is due by June 14, 2013, defendant's reply is due by June 19, 2013. Signed by Judge Abdul K Kallon on 06/05/2014. (CVA) (Entered: 06/05/2013)
06/07/2013	<u>19</u>	ALND UNIFORM INITIAL ORDER GOVERNING ALL FURTHER PROCEEDINGS reminding parties of their obligations under FRCP26(f) and LR26.1(d) – with appendices attached. Signed by Judge Abdul K Kallon on 6/7/2013. (KSS) (Entered: 06/07/2013)
06/11/2013	<u>20</u>	RESPONSE in Opposition re <u>15</u> MOTION to Dismiss filed by Paul David Potts. (PSM) (Entered: 06/11/2013)
07/30/2013	<u>21</u>	MEMORANDUM OPINION. Signed by Judge Abdul K Kallon on 07/30/2013. (PSM) (Entered: 07/30/2013)
07/30/2013	<u>22</u>	ORDER In accordance with the memorandum opinion entered, the court finds in favor of Defendant Mike Bell and against Plaintiff Paul Potts. Therefore, Plaintiff's claims are DISMISSED without prejudice. Signed by Judge Abdul K Kallon on 07/30/2013. (PSM) (Entered: 07/30/2013)